

**CITY OF MILPITAS**  
**Summary of Contents**  
**Milpitas City Council Meeting**  
**March 18, 2003**  
**6:30 p.m. Closed Session**  
**7:30 p.m. Public Business**  
**455 E. Calaveras Boulevard**

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**I. ROLL CALL (6:30 p.m.)**

**II. ADJOURN TO CLOSED SESSION**

**1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

(Pursuant to Government Code Section 54956.8)

Property: APN Nos. 86-05-021, 86-05-009, and 86-11-013

Negotiating Party: Tom Wilson

Under Negotiation: Terms and Conditions for Acquisition/Lease of Property

**2. CONFERENCE WITH LABOR NEGOTIATOR**

(Pursuant to Government Code Section 54957.6)

Agency Negotiator: Cherie Rosenquist

Employee Organizations: MEA

**III. CLOSED SESSION ANNOUNCEMENTS:** Report on action taken in Closed Session, if required pursuant to Government Code Section 54957.1, including the vote or abstention of each member present

**IV. PLEDGE OF ALLEGIANCE (7:30 p.m.)**

**V. APPROVAL OF MINUTES:** March 4, 2003

**VI. SCHEDULE OF MEETINGS**

**VII. PRESENTATIONS**

Recognition of the City's Housing Element by HCD

**Certificate of Appointment:**

- Patrick Yung appointed as Alternate 2 for the Recycling and Source Reduction Committee

**Commendations:**

- Ocean Supermarket
- Kim Lee Fast Food

**Proclamations:**

- Women's History Month, March 2003
- Read Across American Month, March 2003

**VIII. CITIZENS FORUM**

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Members of the audience are invited to address the Council on any subject not on tonight's agenda. Speakers must come to the podium, state their name and city of residence for the Clerk's record, and limit their remarks to under two minutes. As an unagendized item, no response is required from City staff or the Council and no action can be taken; however, the Council may instruct the City Manager to agendize the item for a future meeting.

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**IX. ANNOUNCEMENTS**

- X. APPROVAL OF AGENDA**
- XI. CONSENT CALENDAR (Items with Asterisks)**
- XII. PUBLIC HEARINGS (None)**
- XIII. JOINT REDEVELOPMENT AGENCY AND CITY COUNCIL MEETING**
- RA1. CALL TO ORDER BY THE MAYOR**
- RA2. ROLL CALL**
- RA3. APPROVAL OF MINUTES: March 4, 2003**
- RA4. APPROVAL OF AGENDA**
- RA5. Review Project Closeout Progress: Approve Contract Purchase Orders: Approve Budget Appropriation for Completion of 4<sup>th</sup> Floor: Civic Center (Project No. 8026) (Staff Contact: Greg Armendariz, 586-3220)**
- RA6. AGENCY ADJOURNMENT**
- XIV. REPORTS OF OFFICERS AND BOARDS**
- City Council**
- 1. Review of Recently Implemented 10% City Council Salary Increase: Councilmember Gomez**
- Library Subcommittee**
- 2. Library Building Project Status Report: Library Subcommittee (Staff Contact: Cindy Maxwell, 586-3282)**
- Arts Commission**
- \*3. Approve the 2003 Arts Commission Work Plan (Staff Contact: Bonnie Greiner, 586-3227)**
- Parks, Recreation, and Cultural Resources Commission**
- \*4. Approve the 2003 Parks, Recreation and Cultural Resources Commission Work Plan (Staff Contact: Bonnie Greiner, 586-3227)**
- XV. UNFINISHED BUSINESS**
- 5. Appeal of Planning Commission Action Regarding Home Depot's Six-Month Review and Additional Condition of Approval for Use Permit No. 1555, 1177 Great Mall Dr. (Continued from January 21, 2003, City Council Meeting): Applicant: Home Depot (Staff Contact: Troy Fujimoto, 586-3287)**
- 6. Public Meeting Broadcasting Report (Staff Contact: Bill Marion, 586-2701)**
- XVI. NEW BUSINESS**
- 7. Approve and Direct Staff on Funding One Youth Sports Assistance Fund Grant Request (Staff Contact: Bonnie Greiner, 586-3227)**

**XVII. ORDINANCE**

- \*8. Adopt Ordinance No. 259 Adding Chapter 11 to Title X of the Milpitas Municipal Code Entitled “Regulation of News Racks” (Staff Contact: Mark Rogge, 586-3257)**

**XVIII. RESOLUTIONS**

- 9. Adopt a Resolution to Reclassify a Recreation Leader V (Staff: Cherie Rosenquist 586-3082/Bonnie Greiner 586-3227)**
- \*10. Adopt a Resolution Approving Memorandum of Understanding with Milpitas Employees Association (Staff Contact: Cherie Rosenquist, 586-3082)**
- \*11. Adopt a Resolution Granting Final Acceptance: North McCarthy Boulevard Improvement (Project Nos. 3076 and 3085) (Staff Contact: Mehdi Khaila, 586-3328)**
- \*12. Adopt a Resolution Granting Final Acceptance: Strickroth Park Path Overlay (Project No. 5068) (Staff Contact: Steve Erickson, 586-3317)**

**XIX. BIDS AND CONTRACTS**

- \*13. Approve Contract for Ergonomic Consulting Services (Staff Contact: Cherie Rosenquist, 586-3082)**
- \*14. Approve Plans and Specifications: Manor Pump Station Improvements (Project Nos. 3385 and 3396) (Staff Contact: Mehdi Khaila, 586-3328)**

**XX. CLAIMS AND DEMANDS**

- \*15. Approve Payment Requests: Miscellaneous Vendors / Contractors (Staff Contact: Lou Zenzen, 586-3161)**
- \*16. Approve Payroll Register (Staff Contact: Emma Karlen, 586-3145)**

**XXI. ADJOURNMENT**

**NEXT REGULARLY SCHEDULED COUNCIL MEETING  
TUESDAY, APRIL 1, 2003  
AT 7:30 P.M.**

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**XII. PUBLIC HEARINGS (None)**

**XIII. JOINT REDEVELOPMENT AGENCY AND CITY COUNCIL MEETING**

**RA1. CALL TO ORDER BY THE MAYOR**

**RA2. ROLL CALL**

**RA3. APPROVAL OF MINUTES: March 4, 2003**

**RA4. APPROVAL OF AGENDA**

**RA5. REVIEW PROJECT CLOSEOUT PROGRESS: APPROVE CONTRACT PURCHASE ORDERS: APPROVE BUDGET APPROPRIATION FOR COMPLETION OF 4<sup>TH</sup> FLOOR: CIVIC CENTER (PROJECT NO. 8026) (STAFF CONTACT: GREG ARMENDARIZ, 586-3220)**

**BACKGROUND:** Two Purchase Orders are recommended for approval at this time. The Purchase Orders are for sandblasting granite feature strips on exterior plazas to reduce a potential slip hazard, and raising a hydrant valve near the Veterans' Memorial. A purchase order summary describing the work and cost for each purchase order is included in the Council's agenda packet.

At the last Council meeting, staff presented an option to complete the tenant improvements for the fourth floor, due to the funding advantage of using RDA funding. Upon closeout of the remaining construction contracts, RDA funding would no longer be available for the City Hall building. One of the alternatives was preferred over two other alternatives presented. Staff was instructed to make refinements to this alternative, analysis of the operation & maintenance (O&M) costs associated with completing and occupying the 4<sup>th</sup> floor and bring this information back to Council. These O&M costs range from no additional costs to \$8,000 per year. Details of these costs are included in the Council's agenda packet. A staff presentation will be made at the council meeting, to provide the additional information. The cost estimate for completion of the 4<sup>th</sup> floor with the preferred alternative is \$580,000, and sufficient RDA funds are available.

**RECOMMENDATION:**

1. Approve two purchase orders included in the contract change order summary sheet.
2. Review the additional information relating to completion of the 4<sup>th</sup> floor, and direct staff to proceed with preparation of the contract documents, initiate the bid and change order process and completion of the 4<sup>th</sup> floor.
3. Authorize a budget appropriation of \$580,000 from the Redevelopment Agency Tax increment for completion of the fourth floor.

**RA6. AGENCY ADJOURNMENT**

## **XIV. REPORTS OF OFFICERS AND BOARDS**

### **City Council**

#### **1. REVIEW OF RECENTLY IMPLEMENTED 10% CITY COUNCIL SALARY INCREASE: COUNCILMEMBER GOMEZ**

**BACKGROUND:** Councilmember Gomez has requested a review of the recently implemented 10% City Council salary increase be placed on the agenda.

**RECOMMENDATION:** Review.

### **Library Subcommittee**

#### **2. LIBRARY BUILDING PROJECT STATUS REPORT: LIBRARY SUBCOMMITTEE (STAFF CONTACT: CINDY MAXWELL, 586-3282)**

**BACKGROUND:** The library construction project will replace the existing library with a new facility that better meets the needs of the Milpitas community. The existing Civic Center site was selected as the location for the new library and a Needs Assessment was completed in August 2002.

Preparation of the Building Program is the next step in the planning process. The Program will provide a master plan for the building design stage by identifying space adjacencies and equipment needs. On February 4, 2003, the City Council directed staff to negotiate a consultant contract with Ripley Scoggin to prepare the Building Program for the new library.

During the preparation of the Scope of Services for the consultant agreement, it became evident that concerns regarding the Civic Center's site design must be addressed prior to the preparation of the Library Building Program. Consideration of parking alternatives and open space design for the civic center site will help define a realistic building footprint for the library. The Building Program will build upon those site and footprint assumptions to minimize the need for expensive and time-consuming changes to the document once the design stage for the project is reached.

Included in the Council's agenda packet is additional information regarding the process, studies, schedule and cost of the Consultant Agreement currently under development. The Agreement will be presented to the City Council at the April 1, 2003, meeting.

On February 25, the Library Subcommittee considered the Consultant Agreement in concept. Mayor Esteves was present and directed staff to complete contract negotiations and forward the contract to the City Council for approval.

**RECOMMENDATION:**

1. Consider staff's verbal status report.
2. Note receipt and file.

### **Arts Commission**

#### **\*3. APPROVE THE 2003 ARTS COMMISSION WORK PLAN (STAFF CONTACT: BONNIE GREINER, 586-3227)**

**BACKGROUND:** Pursuant to the Arts Advisory Commission Bylaws, the Arts Commission serves as an advisory body to the City Council on matters affecting citizens relating to community and art. For the first time, the Arts Commission has developed an annual work plan to focus on projects and programs that benefit the Milpitas community. Past accomplishments include, California Arts Day, Cultural Arts Support Program Grants, and Phantom Art gallery. For the current year, the Arts Commission held working sessions during their November, January, and February meetings to develop the 2003 Work Plan, as shown below:

**Short-term Goals**

1. Arts Day Milpitas: Host 2<sup>nd</sup> Annual Arts Day celebration with events to include chalk art contest, entertainment, art demonstrations.
2. Community Center Bulletin Board Display: Designate community bulletin board to host local arts opportunities, information, highlights.
3. Encourage Art Partnerships in Milpitas: Continue to establish relationships with local arts organizations for collaboration, support, and advice.
4. Recognition of Arts contributors at Arts Commission meetings: Recognize established as well as up and coming artists who live in Milpitas or offer arts opportunities in the Milpitas community.

**Long-term Goals**

1. The Arts Commission will strive to continue to improve the quality of arts programs in Milpitas by expanding arts activities and opportunities to include but not limit to:
  - Literature
  - Film
  - Performance Art
  - Voice
  - Photography
2. The Arts Commission will work towards, through fundraising and arts partnerships, with City assistance:
  - Acquisition of performance space
  - Art
  - Arts awareness throughout the community

**Recurring Annual Tasks**

1. Encouraging Art Partnerships in Milpitas
2. Cultural Arts Support Program (April)
3. Phantom Art Gallery (as applied)
4. Special Events – Arts Activities

**RECOMMENDATION:** Approve the proposed 2003 Arts commission Work Plan.

**PRCRC Commission**

**\*4. APPROVE THE 2003 PARKS, RECREATION AND CULTURAL RESOURCES COMMISSION WORK PLAN (STAFF CONTACT BONNIE GREINER, 586-3227)**

**BACKGROUND:** Pursuant to the Parks, Recreation and Cultural Resources Commission (PRCRC) Bylaws, the Parks, Recreation and Cultural Resources Commission serves as an advisory body to the City Council on matters regarding the operation and maintenance of recreation, leisure services, historic preservation activities and the acquisition, planning and development of new and existing parks and facilities. The PRCRC Commission has developed an annual work plan to focus on projects and programs that benefit the community. For the current year, the PRCRC Commission held working sessions during their November, January, February, and March meetings to develop the 2003 Work Plan, as shown below:

**Short-term Goals**

1. Art in your Park – work with the Arts Commission and the Milpitas Alliance for the Arts on implementation, creating checklist for proper neighborhood/community notification, input, meetings.
2. Joint meeting with BTAC – discuss Park Metro park plans, pedestrian over cross.
3. Youth Sports Grant Trophy/ Display Case – acquire multi- functional space for the display of trophies, photos, awards etc. from Youth Sports Grant recipients.
4. City of Milpitas 50<sup>th</sup> Anniversary – serve as an advisory body for event as requested by City Council.

5. Pursue recognition patches or stickers for Youth Sports Grants recipients to display at sporting functions to promote The City of Milpitas.
6. Amend Youth Sports Grant Guidelines to incorporate achievements in local paper i.e. press release, etc.

#### **Long-term Goals**

1. Park Maintenance Schedule – in working with the Parks Department, help create maintenance schedule for City parks as a preventative measure to ensure park quality, preservation of historic buildings.
2. Park Construction and Expansion – work along with Parks Department to provide feedback and input
3. Park Rehabilitation – provide feedback and impute to the Parks Department

#### **Recurring Annual Tasks**

1. Youth Sports Grant Fund Requests (as applied)
2. Child Care Grant Fund Requests (as applied)
3. City Park Tour (June meeting – every other year)
4. City Historical and Cultural Site Tour (June meeting – every other year)

**RECOMMENDATION:** Approve the 2003 Parks, Recreation and Cultural Resources Commission Work Plan.

## **XV. UNFINISHED BUSINESS**

### **5. APPEAL OF PLANNING COMMISSION ACTION REGARDING HOME DEPOT'S SIX-MONTH REVIEW AND ADDITIONAL CONDITION OF APPROVAL FOR USE PERMIT NO. 1555, 1177 GREAT MALL DRIVE (CONTINUED FROM JANUARY 21, 2003 CITY COUNCIL MEETING) APPLICANT: HOME DEPOT (TROY FUJIMOTO, 586-3287)**

**BACKGROUND:** At its January 21, 2003, meeting, the City Council heard the appeal of the Planning Commission's action in regards to the six-month review of the Home Depot use permit (No. 1555). At that time, the Council directed the Home Depot/Great Mall Task Force and the applicant to jointly develop a vegetative alternative to a masonry wall for screening Home Depot's outside storage. The Council requested the alternative be brought to Council within 60 days – i.e. - March 18, 2003.

Since January, the applicant and the City have had numerous meetings to bring resolution to the unscreened storage issue. The result of the meetings is a vegetative screening plan that revises the existing landscaping at the north end of Home Depot. The modifications are as listed below and illustrated on the attached plan, dated March 3, 2003:

1. Remove the existing plantings in the northern landscape planter (fronting Great Mall Drive) and replace with more strategically located plant material, including a greater number of trees and shrubs and a denser, taller specie to provide improved screening.
2. Install a landscape planter along the eastern edge of the parking (along the existing parking stalls at that location where a very wide sidewalk exists) to provide improved screening of the loading area from eastern views.
3. Construct a new landscape planter/island at the western end of the Home Depot parking lot, which will provide increased landscaping and screening, as well as, restrict access through the bus/truck entry. Restricting access is a need that was raised by VTA and the CPUC (California Public Utilities Commission) when reviewing this plan.

In addition, it has been determined that due to the future bus/truck modifications in the immediate vicinity being constructed by VTA and the Great Mall, this plan will need to be phased to avoid having to reconstruct and enlarge the island in a year. Phase 1 will include all improvements

described in items 1 and 2 above (landscaping along the north and east edges of the parking field), while Phase 2 will incorporate the new landscape planter/island at the west-end (item 3 above).

The remaining unresolved screening issue relates to the pallets stored at the south end of the garden center. Since the task force was created, it was identified and acknowledged that the volume of pallets generated exceeded the capacity of the storage enclosure. Solutions to the pallet problem are to either increase the amount of pick-up days or to construct an additional pallet enclosure, estimated at a cost of \$10,000 to construct. Home Depot management determined that it was more cost effective over the long term to construct a new pallet enclosure and maintain the existing service level. Subsequently, Home Depot applied for and received Planning Commission approval to construct the masonry pallet enclosure (November 2001). Since that time the pallet enclosure has not been constructed and pallets continue to be stored in public view at the rear of the building. Photographs of the unscreened pallets are included in the Council's packet.

**RECOMMENDATION:** Modify the Planning Commission's action relative to Home Depot's six-month review of Use Permit No. 1555, based on the recommendation and special conditions included in the Council's agenda packet dated March 18, 2003.

## **6. PUBLIC MEETING BROADCASTING REPORT (STAFF CONTACT: BILL MARION, 586-2701)**

**Background:** At its January 21, 2003, meeting, the Council directed staff to investigate broadcasting City Council and Planning Commission meetings over the Internet and the City's AM radio station. Additionally, Council requested that staff place Council and Planning Commission attachment packages on the Internet and provide an update on the Document Imaging project. Currently meetings are only broadcast on cable TV channel 15 and are not available to non-cable subscribers. Staff has researched various options and has recommended options for broadcasting on AM 1620 as well as web casting meetings via the Internet. The staff presentation will cover these options as well as review the status of the document imaging project and the availability of documents via the Internet.

Staff has researched the broadcast of meetings over both the Internet and our AM radio station. Use of KMLP 1620 can be accomplished for a relatively low cost. The existing radio equipment would require less than \$500 of modification and would then have the capability to receive an audio signal and then re-broadcast it. Specific cost and benefit information is included in Table 1 of this report. Some minor staff effort would be required to switch from the recorded messages to the live audio. Once per hour during live broadcasts, a station identification message will be inserted over the audio. There will be no on-going cost implications for the radio broadcast. Funding for the upgrade is available in CIP No. 8132 Public Information (RDA funding).

In researching Internet broadcasting or streaming of meetings, staff researched two options. The first option involves streaming meetings directly, while the second would utilize an outside service provider to stream meetings. The use of a service provider proved to have a lower initial cost as well as lower recurring costs and is the approach taken by a number of other jurisdictions in the bay area. With this approach, the City would take the broadcast signal that is currently being sent to channel 15, convert or encode it and then transmit it to the service provider. The provider would then take the encoded signal and serve it to viewers over the Internet. An example of this type of streaming can be found on the City of Berkeley web site at <http://www.ci.berkeley.ca.us/>.

Staff obtained several proposals for video streaming. All involved an initial fee for installation as well as a monthly service charge. One firm, Granicus Inc., offered a packaged solution including software, installation and an initial year of service for \$23,900. Funding for this purchase is available in CIP No. 8142, City Hall Technology (RDA funding). The initial packaged solution would provide a one-year trial, after which the value of the service could be evaluated and the service continued if desired.



**RECOMMENDATION:**

1. Approve the upgrade of radio equipment to allow live broadcast of meetings on AM1620 from CIP No. 8132 Public Information (RDA funding) in an amount not to exceed \$500.
2. Approve the purchase of software and webcasting services from Granicus Inc., for a one-year trial period, in an amount not to exceed \$23,900 from CIP No. 8142, City Hall Technology (RDA funding).

**XVI. NEW BUSINESS**

**7. APPROVE AND DIRECT STAFF ON FUNDING ONE YOUTH SPORTS ASSISTANCE FUND GRANT REQUEST (STAFF CONTACT: BONNIE GREINER 586-3227)**

**BACKGROUND:** On June 25, 2002, the Council approved and appropriated \$10,000 for the Youth Sports Assistance Fund for the 2002-2003 budget year. Melissa Crespo's Youth Sports Assistance Fund application is included in the Council's agenda packet for review and consideration.

- ❖ Melissa Crespo is requesting \$1,500 to offset the cost of competing in a Sports USA Competition in Australia, July 5-15, 2003.

This application falls within the grant guidelines. Staff recommended that the Parks, Recreation and Cultural Resources Commission (PRCRC) review and consider this grant to be funded up to the maximum of \$500 on March 3, 2003, meeting. On March 03, 2003, the Parks, Recreation and Cultural Resources Commission reviewed and recommended the approval of the funding request by the applicant of \$1,500, exceeding the individual grant maximum funding guidelines by \$1,000.

Over the past two years, the PRCRC has recommended exceeding the grant guidelines only twice to the Council (Melissa Crespo, \$900 in June 2002, and Mathew Brant, \$859 in June 2001).

Staff anticipates, several spring grant requests from youth sports organizations, including however, not limited to Pal Soccer, North and South Little Leagues, Bobby Sox, and ongoing individual athletes. There is currently a balance of \$7,170 in the 2002-2003 Youth Sports Assistance Fund. Should the recommendation be approved as the PRCRC has recommended, a fund balance of \$5,670 would remain for the fiscal year. Should the grant maximum of \$500 be awarded, a fund balance of \$6,670 would remain for the fiscal year.

**RECOMMENDATION:** Approve funding at the maximum amount of \$500, per the Individual Youth Sports Assistance Fund Grant guidelines.

**XVII. ORDINANCE**

**\*8. ADOPT ORDINANCE NO. 259 ADDING CHAPTER 11 TO TITLE X OF THE MILPITAS MUNICIPAL CODE ENTITLED "REGULATION OF NEWS RACKS" (STAFF CONTACT: MARK ROGGE, 586-3257)**

**BACKGROUND:** At its March 4, 2003, meeting, the City Council introduced Ordinance No. 259 adding chapter 11 to Title X of the Milpitas Municipal Code, entitled "Regulation of News Racks". This ordinance, included in the Council's agenda packet, is now ready for second reading and adoption.

**RECOMMENDATION:**

1. Waive full reading of Ordinance No. 259.
2. Adopt Ordinance No. 259 adding Chapter 11 to Title X of the Milpitas Municipal Code entitled "Regulation of News Racks".

**XVIII. RESOLUTIONS**

**9. ADOPT A RESOLUTION TO RECLASSIFY A RECREATION LEADER V (STAFF: CHERIE ROSENQUIST 586-3082/BONNIE GREINER 586-3227)**

**BACKGROUND:** Periodically employee classifications are studied to review proper classification placement due to a change of assignment(s), organizational structure, internal alignment and/or other related changes or conditions.

At the request of the Recreation Services Manager, a reclassification study on Ms. Ann Kelly, Recreation Leader V—Rainbow Theatre was performed by the Human Resources Department. The study included a review of assignments, internal alignment, compaction impacts, and an external compensation review. The analysis revealed significant internal compaction and misalignment when compared to the incumbent's direct reports. The position incumbent currently supervises a Recreation Services Assistant III at a monthly salary of \$2760-\$3354. In addition, the incumbent was out of alignment when compared to other cities' theatre coordinators. Therefore, a reclassification to the next higher level in the classification series—Recreation Services Assistant IV—would provide an appropriate salary differential above the direct report and commensurate with the job duties. This action would adjust the incumbent's current monthly salary range from \$2046-\$2547 to \$3238-\$3236.

**RECOMMENDATION:** Adopt a resolution approving reclassifying a regular full-time classified employee from Recreation Leader V to a Recreation Services Assistant IV effective March 23, 2003, placed at the beginning of the salary range.

**\*10. ADOPT A RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING WITH MILPITAS EMPLOYEES ASSOCIATION (STAFF CONTACT: CHERIE ROSENQUIST, 586-3082)**

**BACKGROUND:** The most recent Memorandum of Understanding with the Milpitas Employees Association (MEA) expired on December 31, 2002. City representatives and representatives from the Milpitas Employees Association (MEA) met and conferred in good faith to negotiate a new contract. Agreement has been reached on both sides and the new Memorandum of Understanding covering the period January 1, 2003, to December 31, 2005, is included in the Council's agenda packet.

**RECOMMENDATION:** Adopt a resolution approving the Memorandum of Understanding with the Milpitas Employees Association (MEA) covering the period January 1, 2003, to December 31, 2005.

**\*11. ADOPT A RESOLUTION GRANTING FINAL ACCEPTANCE: NORTH MCCARTHY BOULEVARD IMPROVEMENT, PROJECT NOS. 3076 AND 3085 (STAFF CONTACT: MEHDI KHAILA, 586-3328)**

**BACKGROUND:** This project which was initially accepted on March 19, 2002, has passed the one-year warranty period. A final inspection has been made and the public improvements, which include a wetland area, a water main casing crossing under Highway 880, and street landscaping within the median islands and park strip along North McCarthy Boulevard, are satisfactory. A final acceptance may be granted and the contractor's bonds may be released.

**RECOMMENDATION:** Adopt a resolution granting final acceptance and release of the bonds.

**\*12. ADOPT A RESOLUTION GRANTING FINAL ACCEPTANCE: STRICKROTH PARK PATH OVERLAY (PROJECT NO. 5068) (STAFF CONTACT: STEVE ERICKSON, 586-3317)**

**BACKGROUND:** This project which was initially accepted on March 5, 2002 has passed the one-year warranty period. A final inspection has been made and the public improvements which

include the asphalt overlay of decomposed granite paths in Strickroth Park are satisfactory. A final acceptance may be granted and the contractor's bond may be released.

**RECOMMENDATION:** Adopt a resolution granting final acceptance and release the bond.

## **XIX. BIDS AND CONTRACTS**

### **\*13. APPROVE CONTRACT FOR ERGONOMIC CONSULTING SERVICES (STAFF CONTACT: CHERIE ROSENQUIST 586-3082)**

**BACKGROUND:** In October of 2002, the City requested bids to provide ergonomics evaluations, training, and consultation. The contract includes individual workstation ergonomic evaluations for 180 employees in the new City Hall. The bid was awarded to U.S. HealthWorks. The Human Resources Department has budgeted sufficient funds to provide for these services.

**RECOMMENDATION:** Authorize the City Manager to execute a contract with U.S. HealthWorks in an amount not to exceed \$11,000.

### **\*14. APPROVE PLANS AND SPECIFICATIONS: MANOR PUMP STATION IMPROVEMENTS (PROJECT NOS. 3385 AND 3396) (STAFF CONTACT: MEHDI KHAILA, 586-3328)**

**BACKGROUND:** This project is included in the approved Capital Improvement Program. It is funded primarily by City Redevelopment Funds, which are part of the City's contribution to the I-880/Route 237 Interchange. Upgrade of this facility is necessary to accommodate flows from the interchange. Plans and specifications for the project have been prepared to increase the pump station capacity and permanent standby power. The improvements include replacing propellers in the existing two pumps, adding a third pump and a backup generator. The estimated construction cost is \$300,000. There are sufficient funds in the projects to fund the improvements.

A copy of the project title sheet showing the project site is included in the Council's agenda packet. Plans and specifications are available for review in the office of the City Engineer.

**RECOMMENDATION:**

1. Approve plans and specifications.
2. Authorize advertising for bid proposals

## **XX. CLAIMS AND DEMANDS**

### **\*15. APPROVE PAYMENT REQUESTS: MISCELLANEOUS VENDORS / CONTRACTORS (STAFF CONTACT: LOU ZENZEN, 586-3161)**

**BACKGROUND:** In accordance with direction given by City Council at its August 15, 1995, meeting, Purchasing has prepared the following list of purchasing requests over \$5,000.00 for approval:

1. \$8,746.19 to Intergraph Corp. for the purchase of GeoMedia Web Publisher software and interface programming to place Megan's Law information on the City's web site for the Police Department as requested by Council. (Funds are available from the Police Department budget for this purchase.)
2. \$16,419.00 to Savin Corp. for the three year lease purchase of a digital photo copier, including maintenance and supplies, which is replacing an old copier for the Fire Department. (Funds for the current year's cost are available from the Fire Department budget for this purchase.)

**RECOMMENDATION:** Approve the purchase requests.

**\*16. APPROVE PAYROLL REGISTER (STAFF CONTACT: EMMA KARLEN, 586-3145)**

**BACKGROUND:** The Payroll Register for the period ending February 22, 2003, in the amount of \$1,559,173.53 is submitted for approval.

**RECOMMENDATION:** Approve Payroll Register as submitted.

**NEXT REGULARLY SCHEDULED COUNCIL MEETING  
TUESDAY, APRIL 1, 2003  
AT 7:30 P.M.**